

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Mirko Lehmann **GROUP:** 1746
SERIAL NO: 10/536,462 **EXAMINER:** Enin-Okut, Edu E
FILING DATE: May 24, 2005
FOR: FUEL CELL WITH FUEL SUPPLY DEVICE AND METHOD FOR
PRODUCING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

I, Patrick J. O'Shea, represent that I am a registered attorney of record authorized to sign on behalf of the assignee identified below owning all of the interest in above-identified application.

The Assignee of this application is MICRONAS GMBH (the "Assignee"), whose principal business address is Hans-Bunte-Strasse 19, D-79108 Freiburg, Germany.

The extent of the Assignee's interest is in the whole of the invention. The undersigned has reviewed all documents in the chain of title of the above-identified application, and to the best of the knowledge and belief of the undersigned, title is in the Assignee.

On behalf of the Assignee, I hereby disclaim the terminal part of any patent granted which would extend beyond the expiration date of the full statutory term of United States Patent 7,422,816 as presently shortened by any terminal disclaimer, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent 7,422,816, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent 7,422,816, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Commissioner is authorized the \$140 disclaimer fee to Deposit Order Account 50-3381.

Respectfully submitted,

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